

79-3-501 Permit required to excavate critical paleontological resources on state lands -- Removal of specimen or site.

- (1)
 - (a) Before excavating for critical paleontological resources on lands owned or controlled by the state or its subdivisions, except as provided in Section 79-3-502, a person must obtain a permit from the survey.
 - (b) Application for a permit shall be made on a form furnished by the survey.
 - (c) The survey shall make rules for the issuance of permits specifying or requiring:
 - (i) the minimum permittee qualifications;
 - (ii) the duration of the permit;
 - (iii) proof of permission from the land owner that the permittee may enter the property for purposes specified in the permit;
 - (iv) research designs that provide for the maximum recovery of scientific, paleontological, and educational information, in addition to the physical recovery of specimens and the reporting of paleontological information meeting current standards of scientific rigor;
 - (v) the need, if any, to submit data obtained in the course of field investigations to the survey;
 - (vi) proof of consultation with the designated museum representative regarding curation of collections;
 - (vii) proof of consultation with other agencies that may manage other legal interests in the land; and
 - (viii) other information the survey considers necessary.
- (2) All paleontological work shall be carried out under the supervision of the director, or assigned staff.
- (3) A person may not remove from the state, prior to placement in a repository or curation facility, a specimen, site, or portion of a specimen or site from lands owned or controlled by the state or its subdivisions, except as provided in Section 79-3-502, without permission from the survey, and without prior consultation with the landowner or other agencies managing other interests in the land.

Renumbered and Amended by Chapter 344, 2009 General Session